

### **Regulatory Measure Module – Business Rules - Detailed**

In CIWQS, a regulatory measure record represents any action that the Water Boards or Water Board staff can take. The regulatory measure record must be related to the party responsible for the discharge and the place where the discharge is taking place, except for general orders and general waivers. Most billing data is drawn from the regulatory measure so keeping this information up to date is critical.

For additional information on data entry including business processes and more business rules, visit the CIWQS intranet page at <http://waternet.waterboards.ca.gov/oima/ciwqs/index.shtml>.

#### **Title**<sup>\*</sup>

The regulatory measure title displays in search results and is a hyperlink into the record from related inspection, violation, and regulatory measure records.

The title must follow the format: "[Reg Meas Type] [order number/date] for [Discharger]," for all regulatory measure types except for enrollees and for regulatory measures that are draft. The place name may be added to the end of the title, after a comma, if necessary, for example, if one discharger has multiple regulated places. For clarity purposes, discharger name may be abbreviated or otherwise truncated.

Ex. For an NPDES permit for the City of Lakeside's ACME WWTP  
NPDES Permit R8-2010-0090 for Lakeside City, ACME WWTP  
For a WDR that is issued for the City of Woodside's WWTP, the title could be:  
WDR R5-2010-0010 for Woodside WWTP.

For **enrollees**: Enrollee under [brief name of general order] for [Discharger]. When using the Regulatory Measure Wizard, the title auto-populates with the "General Order Shortened Description" that is found in the "Additional Info" tab of the general order record as the "brief name of the general order" part of the title.

For **draft** regulatory measure: regions may use their own conventions.

#### **For non-EPL ACLs:**

- For ACLs that only address MMPs (no discretionary amount), use "MMP" for the regulatory measure type.
- For ACLs that have any discretionary component, the regulatory measure type should be ACL.
- When the regulatory measure is a complaint, add C.
- If the regulatory measure becomes an order, add an O.
- For those that are settled, information regarding the settlement may be added. For example: ACLO [order number] Settled ACLC [order number, if different] for [Discharger], [place, if necessary].

#### **For EPLs:**

- EPL [order number] for [Discharger], [place, if necessary]

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<sup>\*</sup> Required field

- If the EPL becomes an order, at a minimum include that action is now an ACL, but was initiated as an EPL, order number, and discharger. For example, ACLO [order number] Settled EPL [order number, if different] for [Discharger], [place, if necessary]..

For **regulatory measures that don't have an order or resolution number**, use the date of the document.

For example "NOV [date] for [Discharger], [place, if necessary]"

### **Description**

- Except for formal enforcement actions, a description is not required but recommended if it is an unusual situation such as when multiple facilities discharge out of one outfall and are regulated by one permit.
- A description is required for formal enforcement. The description must include a summary and time period of violations that led up to the enforcement action, and the amount assessed or a summary of the tasks being required. For example "ACL Complaint in amount of \$574,000 for violations of WDRs, specific effluent limitation violations for May 2005 raw sewage spill (approx. 178,000 gal) to Gas Canyon Creek."
- This field has a character limit of 500 and for formal enforcement actions it appears in public reports.

### **Regulatory Measure (Type)\***

There are a number of regulatory measure types, broken into two main groups: enforcement and non-enforcement. When an enforcement type is selected, an enforcement tab appears in CIWQS where information related to the enforcement action must be entered.

The table below describes the types of regulatory measures that may be selected.

<b>Type</b>	<b>Abbreviations</b>	<b>Definition</b>
<b>13267 Letter (Non-Enforcement)</b>	13267 (Non-Enf)	<p>A letter utilizing Water Code Section 13267 authority to require information or studies that is not requested in response to a violation. If the action is in response to violations, use the Enforcement - 13267 Letter option.</p> <p>If the discharge is regulated by a base regulatory measure, relate the 13267 Letter (Non-Enforcement) to the base regulatory measure with the relationship of "implements by" when viewing from the 13267 Letter record.</p>
<b>401 Certification</b>	WQC	Water quality certification pursuant to section 401 of the Clean Water Act. Coverage under general order 2003-0017-DWQ is implied with this type of regulatory measure and specific reference to it is not necessary.
<b>CEQA Document</b>	CEQA	This regulatory measure type is for any type of CEQA Document that is either reviewed or prepared by Water Board staff, such as Draft EIR or mitigated

<b>Co-Permittee</b>	Co-Perm	A type of regulatory measure used when an individual permit regulates several discharges that are required to be billed separately.
<b>Enforcement – 13267 Letter</b>	13267 Letter	A letter utilizing Water Code Section 13267 authority to require further information or studies in response to violations.
<b>Enforcement - 13308 Enforcement Action</b>	13308 Action	California Water Code section 13308 authorizes the RWQCB to issue a Section 13308 Time Schedule Order (13308 TSO) which prescribes a civil penalty if compliance is not achieved in accordance with the time schedule. The RWQCB may issue a 13308 TSO if there is a threatened or continuing violation of a cleanup and abatement order, cease and desist order, or any requirement issued under California Water Code sections 13267 or 13383.
<b>Enforcement – Admin Civil Liability</b>	ACL	Use this type of enforcement actions for Administrative Civil Liability (ACL) complaints and orders, including ACLs that address mandatory minimum penalties (MMPs)
<b>Enforcement – Cease and Desist Order</b>	CDO	Cease and Desist Orders (CDOs) are adopted pursuant to California Water Code sections 13301-13303. CDOs may be issued to dischargers violating or threatening to violate WDRs or prohibitions prescribed by the RWQCB or the SWRCB. CDOs are often issued to dischargers with chronic non-compliance problems.
<b>Enforcement – Clean-up and Abatement Order</b>	CAO	Cleanup and Abatement Orders (CAOs) are adopted pursuant to California Water Code section 13304. CAOs may be issued to any person who has discharged or discharges waste into the waters of this state in violation of any waste discharge requirement or other order or prohibition issued by a regional board or the state board, or who has caused or permitted, causes or permits, or threatens to cause or permit any waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the state and creates, or threatens to create, a condition of pollution or nuisance.
<b>Enforcement – Expedited Payment Letter</b>	EPL	A conditional offer that provides a discharger with an opportunity to resolve any outstanding violations subject to mandatory minimum penalties by acknowledging them and providing full payment of the accrued mandatory penalties identified in the payment letter.

<b>Enforcement – Formal Refer to Attorney Gen</b>	Ref to AG	<p>At the request of the RWQCB or SWRCB, the Attorney General can seek judicial civil liabilities on behalf of the RWQCB or SWRCB for California Water Code violations, essentially the same ones for which the RWQCB or SWRCB can impose ACLs.</p> <p>Record the amount to be collected by the Water Board as a milestone and describe the entire amount to be collected by the AG in the description field of the regulatory measure.</p> <p>This regulatory measure type is not for use when referring to the Attorney General for collection of a monetary assessment. See the Tasks section of this document for information on conveying this information.</p>
<b>Enforcement – Notice of Violation</b>	NOV	A letter officially notifying a discharger of a violation and the possible enforcement actions, penalties, and liabilities that may result. This letter is signed by the Executive Officer.
<b>Enforcement – Notice to Comply</b>	NTC	Notices to Comply are issued pursuant to CWC section 13399 et seq. and are only means by which the SWRCB or RWQCB can issue citations for minor violations.
<b>Enforcement – Oral Communication</b>	Oral Com	This action can take place either in person or by phone and it can be the first step in pursuing enforcement. Staff shall document the conversation in the facility case file as well as in CIWQS.
<b>Enforcement – Referral to District Attorney</b>	Ref to DA	Any referral to the District Attorney.
<b>Enforcement – Referral to Other Agency</b>	Ref to Other Agency	Any referral to another State Agency.
<b>Enforcement – Referral to Task Force</b>	Ref to Task Force	Any referral of a violation to an environmental crimes task force.
<b>Enforcement – Referral to USEPA</b>	Ref to USEPA	This type of regulatory measure is used when a request by the RWQCB has been made. If there was an enforcement action that led up to the referral, it must be related to this regulatory measure type with the relationship of “enforced by.”
<b>Enforcement – Settlement – Court Order</b>	Court Settlement	A settlement agreement per California Government Code Section 11415.6.

<b>Enforcement – Staff Enforcement Letter</b>	SEL	An enforcement letter is often appropriate as a follow-up, or in lieu of, a verbal enforcement action. Enforcement letters are signed by staff or by the appropriate senior staff.
<b>Enforcement – Stipulated Penalty</b>	Stip Penalty	Enforcement actions that specify a fixed sum of money that a discharger agrees to pay for violating terms of a decree.
<b>Enforcement – Third Party Action</b>	3 <sup>rd</sup> Party Action	An enforcement action taken by a third party and to which the Water Board is a party.
<b>Enforcement – Time Schedule Order</b>	TSO	Pursuant to California Water Code section 13300, the RWQCB can require the discharger to submit a time schedule which sets forth the actions that the discharger will take to address actual or threatened discharges of waste in violation of requirements. TSOs that require submission of technical and monitoring reports should state that the reports are required pursuant to California Water Code section 13267.
<b>Enforcement- Waste Discharge Requirements</b>		Do not continue to use this option, instead, record the action that was used to bring the discharger into compliance (in this case, covered under a permit), such as “Oral Communication” or “Staff Enforcement Letter.”
<b>Enrollee</b>	Enrollee	A regulatory measure signifying coverage under a general action. For example, a general order or a general waiver.
<b>Individual Monitoring Requirem</b>	Ind MRP	A regulatory measure requiring monitoring that has been issued to an enrollee individually. This is not for individual WDR/permit holders, changes to their MRP would be done through an amendment, resolution, or 13267 letter.
<b>Letter</b>		Informal document requesting and /or communicating information.
<b>NPDES Permits</b>	NPDES	Authorization to discharge to a specific location(s) that are waters of the U.S.
<b>Reclamation Requirements</b>	Reclaim	Requirements issued pursuant to 13523.
<b>Resolution</b>	Res	An action by the Board that does not result in a permit or order. If the resolution amends or rescinds, record the amendment or rescission in the General Info tab of the regulatory measure that was amended or rescinded. If the Resolution Order adopts a “waiver”, it should be entered as a waiver.

<b>Unregulated</b>	Unreg	This regulatory measure type is used as a place holder for discharges that are not regulated, but are of interest, usually because of a complaint or spill. Unregulated record types must be associated to a “facility” or subtype of facility and a program. If the responsible party is known, it must also be related to this record. If the site is issued an order, the unregulated regulatory measure must be related to the new regulatory measure with the relationship of “replaced by” and the status of the unregulated measure must be “superseded.”
<b>Waiver</b>	Waiver	An action by the regional board that waives the requirements to obtain waste discharge requirements. This can be either an individual or a general action. Enrollees under a general waiver should be entered as the regulatory measure type of “enrollees” and related to the general waiver.
<b>WDR</b>	WDR	Authorization to discharge to a specific location(s); i.e., to land and surface waters not subject to NPDES permits.

Note: For ACL Complaints (including MMP ACL Complaints) that are settled through a settlement agreement, update the complaint record, if necessary, to reflect the new status (“historic” once it is paid and required action is completed), dates, milestones, etc. Use the “Comments” or “Description” field on the Enforcement tab to make note of changes. When a complaint is replaced with another complaint, the first complaint is “withdrawn.” See the [Creating an Enforcement Action](#) process for more information.

Similarly, for EPLs, if the discharger agrees to pay, the agreement undergoes a public notice period, and is counter-signed creating an order. The same regulatory measure record should be used and the type changed to ACL. See the [Creating an Enforcement Action](#) process for more information.

### **Order/Resolution Number<sup>#</sup>**

If the regulatory measure has an order or resolution number, it must be entered. Enter the order or resolution number in accordance with the following:

**\*\*(\*)-YYYY-####(-\*\*\*)**

Where: \* = letter or digit  
Y = digit as part of a year  
# = digit  
( ) = entry of characters optional

Examples:  
R1-2001-0012  
R1-2001-0012-A02  
R6A-2001-0055  
WQO-2001-0001  
WRO-2001-0010

<sup>#</sup> Conditionally required field

This format has the following features:

- Two or three characters will be used to identify the origin of the order. The choices here will be limited to the following list: R1 through R9 for the Regional Boards; and WQO (Water Quality Order), and WRO (Water Rights Order) for the State Board. Regions with multiple offices may include a letter designating those offices if desired.
- A four-digit year to clearly identify the year.
- A four digit sequence number increases the number of possible order numbers and reduces the possibility of not having enough. This is especially true for those Regions that reserve blocks of numbers for certain order types. Leading zeros are required for numbers under a thousand (e.g. 0035, 0005, 0599)
- Three characters are available after the sequence number to designate amendments. These may be both alpha characters and numerals. Usage of the amendment designation is optional and at the discretion of the Regions.

This field may also be used to record numbers issued by other agencies that serve the purpose of an order or resolution number and may not fit the format described above.

#### **Individual/General flag**\*

Use “general” for general permits or waivers; use “individual” for individual permits, and for individual actions, including enrollee records. The system will prohibit users from saving records with the “general” flag with regulatory measure types other than 401 Certification, NPDES Permit, Reclamation Requirements, WDR, or Waiver.

#### **Status**\*

- Resolutions should be historical.
- Unregulated regulatory measures shall be active while staff are reviewing the site for regulatory consideration, unless it is replaced with another regulatory measure. Otherwise, all unregulated regulatory measures shall be 'never active' if there is no intent to regulate the site.
- If an application is submitted and the applicant does not receive coverage under and order, set the status to “never active.” Due not enter an effective any date.

#### **Enforcement Actions**

- Board adopted enforcement actions (such as Cease and Desist Orders and Cleanup and Abatement Orders) may need to be rescinded by a board action. If so, they can be made historic once rescinded by the board.
- Other enforcement actions that require a response should be made “historic” once they are fully complied with.
- Enforcement actions that do not require action, such as oral communication, should be made historic upon entry.

**All Regulatory Measures will be assigned one of the following statuses:**

Status Code	Description
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<b>Draft</b>	<p>The measure has not yet been issued or adopted.</p> <p>For example, this status is appropriate when an application has been received and additional information has been requested by staff.</p>
<b>Active</b>	<p>This status should be applied when the regulatory measure is issued and further action is required by the discharger or if the record is currently tracking a discharge with the regulatory measure type of “unregulated.”</p>
<b>Archived</b>	<p><b>This status is no longer available for current data entry.</b> This is assigned to regulatory measures that contained individual coded eSMR requirements (original eSMR) which were problematic in some way so had to be replaced. Data may have been submitted to the problematic record so it cannot be deleted.</p>
<b>Historical</b>	<p>The measure was in effect but has expired, was rescinded, terminated, or no further action is required by the discharger.</p> <p>The measure may be replaced by another regulatory measure of the same type (relate the historical regulatory measure to the active measure if there is one).</p>
<b>Never Active</b>	<p>The regulatory measure was not in effect nor is there intent to make it effective. For example, if an application is withdrawn, the regulatory measure that was created when the application was submitted should have a status of “never active” once the application has been withdrawn. Another example is if a certification is denied or denied without prejudice, the original record should have the status of “never active.” This status can also be used for regulatory measure types of “unregulated” when it has been determined that the discharger does not need to be regulated.</p> <p>Be sure to indicate the applicable details in the Task tab.</p>
<b>Superceded</b>	<p><b>This status is no longer available for current data entry.</b> A measure has been superceded by a different type of regulatory measure (e.g., an NPDES to WDR, or an Individual to General). For example, if a facility (place) that was covered by an individual NPDES permit (reg. meas.) no longer discharges to surface water but instead discharges to land; the new regulatory measure would be a WDR. The status of the NPDES permit would be changed from “Active” to “Superceded.” The “Superceded” regulatory measure would be related to the new WDR having a relationship of “replacing.”</p>



<b>Withdrawn</b>	<b>(For Enforcement Regulatory Measures Only)</b> Measure was withdrawn by Board or Executive Officer. - The Regulatory Measure was withdrawn by the issuing authority. This may be because the facts did not support further pursuing the proposed action at this time. For ACLs, this would be used where the ACL Complaint was issued, but the ACL was withdrawn either affirmatively or by failure to offer a public hearing on the matter. Prior to January 2007, this status was used when an ACL Complaint was replaced by an ACL Order. A termination date should be added to a record that has the status of "withdrawn." This should be the date that it was withdrawn by the Board or Executive Officer or the date that it was decided that further action was not going to be pursued.
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### **Related Organizations**

Read only from this screen

### **Related Places**

Read only from this screen

### **Regulatory Program**\*

- Select the program that best describes the regulatory measure. (See the [program definitions](#) posted on the CIWQS Intranet.)

### **Identifiers**

- All billable regulatory measures (e.g. WDRs, enrollee, etc.) must have one and only one WDID number.
- All ACLs (complaints or orders) must have one and only one WDID.
- Recording WDIDs for non-ACL enforcement regulatory measures is optional.
- If a permit is issued to an NPDES discharger, there must be an NPDES number.
  - Individual storm water permits should have an "S" as the third character of the permit's NPDES number. For example: "CAS000123."
  - "Master" storm water general permits should have an "R" as the third character. For example: "CAR000123."
  - Non-storm water general permits should have a "G" as the third character. For example: "CAG000123."
- All appropriate identifiers may be linked.
- The start date should be the day of data entry.
- End dates should only be entered if the identifier is no longer applicable. A regulatory measure which is no longer active does not require an end date to be populated.

Identifier	Definition
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<b>ACL Complaint Number</b>	Number issued to an ACL complaint, if a new number is issued for the resulting order. The start date of the ACL Complaint Number should be the original issuance date of the ACL complaint.
<b>CI Number</b>	The CI number is the Compliance Inspection Number and is only used in region 4.
<b>CEQA Identifier</b>	The State Clearing House identifier given to a CEQA project, either being led by the Water Board or being reviewed by the Water Board.
<b>Enrollee Number</b>	This is a sequential number assigned to an enrollee. Enter the number in the format: [general regulatory measure order/resolution number] - [enrollee number]. For example R8-2007-0001-156. When a general order is readopted, the enrollee gets a new enrollee number. Add an end date (that is one day before the start date of the new identifier) to the original number.
<b>File Number</b>	Miscellaneous identifier; unique to the appropriate program, such as, UST or SLIC.
<b>NPDES Number<sup>#</sup></b>	A federal identifier for the NPDES program that, like the WDID, should stay with the discharge as new regulatory measures are issued.  Condition: It is required for active and historical NPDES permits.
<b>SLIC Number</b>	Unique identifier associated with sites under the Spills, Leaks, Investigations, and Cleanup program.
<b>USACE File Number</b>	Identifier assigned by the US Army Corp of Engineers for Wetland and Certification projects.
<b>WDID<sup>#</sup></b>	The Waste Discharge Identification number is associated with a discharge. The WDID should remain with a discharge as new regulatory measures for that same discharge are issued. A discharge may get a new WDID if the regulatory measure is superseded by another type of regulatory measure for which a new WDID must be assigned. For example, if a discharge was regulated by a general statewide storm water permit, then the WDID follows the storm water WDID convention. If the permit is replaced by an individual storm water permit, then a new WDID should be assigned.  Condition: A WDID is required for billable regulatory measures, including ACLs.

### Dates

- Only one date of each type can be entered.
- Active and historical regulatory measure, all regulatory measures shall have an Effective date.
- All active and historical orders (WDRs, NPDES, CAO, CDO, etc) must have an “Adoption/Issuance” date.
- All active NPDES permits and WDRs must have an Expiration/Review date.
- For WDRs, if the order is reviewed and a renewal is not necessary, the Expiration/Review date

<sup>#</sup> Conditionally required field

should be extended.

- For enrollees, there must be an effective date (the date coverage started) and if the general permit no longer covers the enrollee, there must be a termination date.
- Any regulatory measure that is eSMR activated must have an Expiration/Review date.
- ACL Complaint Issuance date shall be used for issuance of an ACL Complaint. If the Complaint becomes an order, an adoption/issuance date of when the order is adopted shall be added.
- Termination dates are required for any action with a historical status.

Date Type	Definition
<b>Adoption Date/Issuance Date<sup>#</sup></b>	<p>This is the date the order or waiver is adopted or signed by the executive officer. It is not required for other types of regulatory measures such as informal enforcement actions or enrollees (including enrollees under general waivers).</p> <p>Condition: This date is required for all orders and waivers.</p>
<b>Effective Date<sup>#</sup></b>	<p>This is the date that the regulatory measure has authority.</p> <p>Condition: It is required for all active or historical regulatory measures.</p>
<b>EPL Issuance Date<sup>#</sup></b>	<p>This is the date that the EPL was issued. Do not enter an adoption/issuance date unless the EPL becomes an ACL order, at which time the regulatory measure type should also be changed to ACL.</p> <p>Condition: This is required for all non-draft EPLs.</p>
<b>Expiration Date/Review Date<sup>#</sup></b>	<p>The Expiration date applies to NPDES permits and is the scheduled date of termination. The review date is for WDRs and is the date that the WDRs are scheduled to be assessed for adequacy.</p> <p>Condition: This date is required for all active or historical NPDES permits and WDRs and other regulatory measures whose SMRs are tracked.</p>
<b>Termination Date<sup>#</sup></b>	<p>The date that a regulatory measure is no longer in effect. If an order replaces/supersedes another, the old one should have a termination date of the day before the effective date of the new order.</p> <p>Condition: This date is required for all historical regulatory measures. It is also required for withdrawn regulatory measures.</p>
<b>ACL Complaint Issuance Date<sup>#</sup></b>	<p>Date the ACL Complaint was signed by the Executive or Assistant Executive Officer. Do not enter an adoption/issuance date unless the complaint becomes an order. (Use this convention for ACLs issued after January 2007).</p> <p>Condition: This date is required for ACL Complaints that have been issued.</p>

<b>ACL Settle W/Out Hearing Date #</b>	<p>The date that a hearing waiver notice is received by the regional board indicating that the discharger will pay the complaint amount and not request a hearing in front of the board. This is separate from the discharger waiving their right to a hearing within 90 days.</p> <p>Condition: This date is required when the discharger has submitted a hearing waiver notice that also includes an agreement to settle an ACL.</p>
<b>Received Date</b>	<b>Do not use.</b> This date type was to note the date that an NOI/application was received. This information must now be tracked on the Task tab.

### **Amendments**<sup>#</sup>

If the regulatory measure is amended, check the box indicating that it has been amended. A table will appear. Complete the table with the date the amendment was adopted and the order number assigned to the amendment. If the amendment was not adopted, enter the date that the amendment was issued. If there is not an order number associated with the amendment, use a generic entry in the format of “Amd [number].”

If one amendment replaced another amendment or an amendment was only valid for a specific period of time, add notes in the comment field.

For example: “Amd 03” would be used as the number for a regulatory measure that is being amended for the third time. In this case there should be two other entries in the table.

The amendment order number is considered an identifier so it can be used as a search criterion in the search screen.

Upload the document on the Attachment tab and check the “publish” checkbox.

Prior to September 2011, amendments were considered separate regulatory measure types. Cleanup was done to delete amendment regulatory measures and create entries in the respective tables.

Condition: The checkbox, date, and order number fields are required if the regulatory measure is amended.

### **Rescissions**<sup>#</sup>

If the regulatory measure is rescinded through an action other than the adoption of a revised regulatory measures, check the box indicating that it has been rescinded. A table will appear. Complete the table with the date the rescission was adopted and the order number assigned to the rescission action. If the rescission was not adopted, for instance if the action was made by decree, enter the date that the rescission was issued. If there is not an order number associated with the rescission, use the generic entry of: “Rsc.”

The rescission order number is considered an identifier so it can be used as a search criterion in the search screen.

Upload the document, if one exists, to the Attachment tab.

Prior to September 2011, rescission orders were considered separate regulatory measure types. Cleanup was done to delete rescission order regulatory measures and create entries in the respective tables.

Condition: The checkbox, date, and order number fields are required if the regulatory measure is rescinded through a specific rescission action. (When a revised order is adopted containing language stating that the previous order is rescinded, an entry into the rescission table is not required. However, the revised order must be linked as a related regulatory measure.)

### **Related Regulatory Measures**<sup>#</sup>

User must link all regulatory measures that are directly related to one another. For example, if the enforcement action is enforcing against violations of a general storm water permit and a wastewater permit, then the enforcement action must be linked to both of the enrollee record and the individual permit.

Below is the list of regulatory measure relationships. If the screen currently displays “Passive” the choices in the role/relationship drop down menu will be limited to those in the passive column. If the screen displays “Active”, the choice in the role/relationship drop down menu will be limited to those in the active column. To see the other choices, change the voice.

<b>Passive</b>	<b>Active</b>	<b>Definition</b>
<b>Archiving (Passive)</b>	Archiving	Do not use. Only used for regulatory measures that have been activated and the requirements need to be adjusted.
<b>Enforced By</b>	Enforces	The relationship between two regulatory measures, where the first order is violated and therefore subject to the actions of the second order.
<b>Regulates</b>	Enrolled Under	The relationship made from an enrollee regulatory measure (type) to a general regulatory measure (type).
<b>Implemented By</b>	Implements	The relationship between a base order and a co-permittee regulatory measure or between an individual monitoring and reporting program and an enrollee or individual WDR.
<b>Replaced By</b>	Replaces	Applicable when a new type of regulatory measure takes the place of an existing regulatory measure (e.g. an NPDES permit is replaced by WDRs or on <b>historical records</b> (before January 2007), an ACL Complaint is replaced by an ACL Order). The regulatory measure that gets replaced should have the status “superseded.”
<b>Revised By/Renewed By</b>	Revises/Renews	The relationship between two regulatory measures that are for the same discharge and the existing order is being rescinded with the new order.

### **Enforcement Tab**

See [“The Enforcement Tab \(Regulatory Measure Module\) – Business Rules – Detailed”](#) available on the intranet

### **Related Parties**

- All individual regulatory measures must have at least one related organization with the relationship of **“Discharger.”**
- Regulatory measures must be linked to the appropriate Water Board with the relationship of **“Regulating.”** State Board adopted general orders or general waivers must have a relationship of **“issuing”** instead.
- If the regulating organization is different than the issuing organization, both relationships must be identified.
- For individual historical regulatory measures entered after 7/7/2009 and for all individual active regulatory measures, there must be a Water Board employee related to the regulatory measure with the relationship **“staff.”**

The following table describes relationships between **organizations** and regulatory measures.

<b>Organization Relationship</b>	<b>Definition</b>
<b>Billing</b>	<b>Do not use.</b>
<b>Consultant</b>	A party (person or organization) that is being paid to do work on behalf of the discharger.
<b>Developer</b>	<b>Do not use</b>
<b>Discharger<sup>#</sup></b>	The organization authorized to discharge under a regulatory measure.  Condition: This role is required for all regulatory measures except for general orders and waivers.
<b>Group Monitoring group</b>	<b>Do not use.</b>
<b>Interested Party</b>	Any party (person or organization) that has expressed a heightened level of interest towards a specific regulatory measure. This role is not required to be assigned to parties that have submitted comments regarding a specific regulatory measure.

<b>Issuing<sup>#</sup></b>	<p>The Water Board that adopted or authorized a regulatory measure. This relationship is only necessary if the organization that issues the regulatory measure and the organization that has the role “Regulating” are different.</p> <p>This is also applicable for the person at an organization relationship when the executive officer or assistant executive officer issues an action.</p>
<b>Lead Agency</b>	This relationship is used in regards to CEQA or for sites where the primary regulating agency is other than the Water Board.
<b>Other Enforcing Agency</b>	Only applicable on enforcement regulatory measure records that are of “refer” type. If the specific person is known, the agency does not also have to be entered.
<b>Regulating<sup>#</sup></b>	<p>Regulating is the role of the Water Board that is implementing the regulatory measure. Unless otherwise noted by an “issuing” relationship, “regulating” implies issuing as well.</p> <p>Condition: This role is required for all regulatory measures except for general orders and waivers.</p>
<b>User</b>	An organization that consumes or distributes for consumers, recycled water.
<b>Producer</b>	An organization that produces recycled water.
<b>Third Party</b>	An organization used in various situations. The comments can be used to describe the specific role.

The following table describes relationships between people and regulatory measures.

<b>Person Relationship</b>	<b>Definition</b>
<b>Author</b>	The regional board staff responsible for getting the regulatory measure adopted or issued. Applicable when there is a separate staff person or enforcement officer, otherwise this role is implied with the “staff” role.
<b>Consultant</b>	A party (person or organization) that is being paid to do work on behalf of the discharger.
<b>Billing contact</b>	<b>Do not use.</b>
<b>Developer Contact</b>	<b>Do not use.</b>
<b>Discharger Contact</b>	The discharger representative.



<b>DMR Contact</b>	This role signifies the person to contact for Discharger Monitoring Reports (DMR) related questions.
<b>Interested Party</b>	Any party (person or organization) that has expressed a heightened level of interest towards a specific regulatory measure. This role is not required to be assigned to parties that have submitted comments regarding a specific regulatory measure.
<b>Lead Agency Contact</b>	This relationship should be used for the representative of an agency that is acting as lead for CEQA or that is the primary regulating agency when it is other than the Water Board.
<b>Legally Responsible Official</b>	<b>Do not use</b>
<b>Other Enforcing Contact</b>	Only applicable on enforcement regulatory measure records that are of “refer” type.
<b>Staff<sup>#</sup></b>	The Water Board employee responsible for the day to day implementation of a regulatory measure. Unless “author” is separately assigned, the staff is also the author.  Condition: This role is required for active regulatory measures.
<b>Third Party Contact</b>	A person for the “Third Party” organization. If the specific person is related, the organization does not also have to be related.

### Related Places

- There must be at least one related place that has a place type of “facility” or subtype of facility with the relationship of “Regulated By.”
- Discharge points have the relationship of “Discharging”.

<b>Relationship</b>	<b>Definition</b>
<b>Protected By</b>	Relationship between a waterbody, watershed, or hydrologic unit and a regulatory measure.
<b>Discharging</b>	Relationship between a discharge point and a regulatory measure.
<b>Regulated By<sup>*</sup></b>	Relationship between the place (place type of “facility” or subtype of facility) and a regulatory measure.  Condition: This role is required for all regulatory measures except for general orders or waivers.



### **Monitoring Locations**<sup>#</sup>

- Monitoring locations are only required for individual NPDES dischargers.
- Staff may input monitoring locations for other types of regulatory measures.

### **Requirements**<sup>#</sup>

- Report requirements for WDRs and NPDES permits, both individual and enrollees under general orders, must be created for self-monitoring report submittals. Tracking of these reports may be done by staff (paper reports) or electronically (eSMR).
- See eSMR2 Business Rules or the “Creating Report Expectations” data entry process for more information.

### **Inspections**

This tab lists inspections associated to the regulatory measure being viewed. See the Inspection Module business rules for more information.

### **Tasks**

This tab is used to track the activities of Water Board staff. Tasks may be planned in advance using the Scheduled Date fields or just recorded after completion using an actual date and the appropriate status. If a task is planned, but then is cancelled, change the status to cancelled, leaving just a scheduled date.

The blank task template is arranged in the order in which the steps are likely to occur. When dates are completed, the table sorts according to actual date. If there is no actual date, the system uses the scheduled date.

Most tasks have the statuses of “planned,” “performed,” and “cancelled.” If there is only a scheduled date, the status defaults to “planned.” If there is an actual date, the status defaults to “performed.” For ROWD/NOI Processing Outcome, WDR Review, Petition, Appeal, and Board Dismissal, there are additional statuses. For these tasks, a status must be selected by the user before saving.

- Only people that are related to the regulatory measure are available in the “assigned” drop down menu.
- ROWD/NOI processing tasks are to be entered on a new regulatory measure record, not an active one.

Task	Definition
<b>Complaint Investigation</b>	Project to determine validity, cause, plan of action, and evaluation of outcome of complaint. A date range of when investigation started and ended should be used. Planned dates are not required for this task. This should be tracked at the base order, if one exists for the program of the complaint. If there is not an existing order of the correct program, a new “draft” regulatory measure should be started of type “unregulated.” If later, it becomes an enforcement order or permit, the regulatory measure should be change to that type of regulatory measure.

<b>Initial ROWD/NOI Received<sup>#</sup></b>	The date the ROWD/NOI is received, regardless of completion status.  Condition: This task is required for all regulatory measures that are initiated with an application.
<b>Fee Received</b>	Record this on the additional information tab, in the start date of the “Application Fee Amt Received” attribute.
<b>ROWD/NOI Assigned to Staff</b>	The date staff is assigned to the task of developing a regulatory measure.
<b>Initial Deficiency Notification</b>	The date that the first letter describing the inadequacies of the ROWD/NOI is sent.
<b>Supp. ROWD/NOI Info Received</b>	The date additional information was submitted to complete an ROWD/NOI.
<b>Supp. Deficiency Notification</b>	The date that the second or subsequent letter describing the inadequacies of the ROWD/NOI is sent.
<b>ROWD/NOI Complete</b>	The date the ROWD/NOI is determined complete.
<b>Draft Order</b>	The date on which a draft order/permit is completed.
<b>Public Notice</b>	The date on which notice was given to the public regarding the regulatory measure being considered by the Board.
<b>Agenda Package</b>	The date on which material for the agenda package is due.
<b>Board Meeting</b>	The date that the regulatory measure is scheduled to be considered by the Board. If the Board meeting is rescheduled, a new Board Meeting Scheduled task should be created. The reason for the change may be entered in the comment field.
<b>ROWD/NOI Processing Outcome<sup>#</sup></b>	Select the disposition of the ROWD/NOI and enter the date that it was determined.  Condition: This task is required for regulatory measures for which an application was submitted.
<b>Hearing Panel Date</b>	The date that the regulatory measure is scheduled to be considered by a hearing panel.

<b>Tentative Order sent to Discharger and Interested Party for Review</b>	The date that a draft regulatory measure was sent for review.
<b>Appeal</b>	<b>Do not use.</b>
<b>Board Dismissal</b>	<b>Do not use</b>
<b>Petition</b>	<p>Date that a regulatory measure was petitioned. If a petition is filed, record the date in the actual date field and used a status of “pending” while the outcome is being decided. Once the outcome is known, change the status accordingly.</p> <p>The status of “pending,” “stayed,” or “partially stayed” will cause the milestones within the associated ACL to appear on the ACL Problematic Report and in turn be placed on “ACL billing hold” by the Division of Administrative Services.</p>
<b>Ownership Change Processing</b>	This task is to be used when the acceptance of an ownership change is through a letter from the Board. Use the effective date of the recognition as the actual date of the task. Be sure to complete all of the associated relationship changes.
<b>WDR Review<sup>#</sup></b>	<p>The date staff completes the update/review process (determination whether a WDR needs to be rescinded, revised or no action required). If it is determined that no action is required, then the “Expiration/Review” date should be extended to 5, 10, or 15 years from the “WDR Review” date (depending on TTWQ).</p> <p>Condition: This task is required for individual WDRs.</p>
<b>Bankruptcy Determination</b>	<p>This task is to note when a discharger has declared bankruptcy and the Water Boards cannot collect monetary assessments from them. This task is appropriate for ACLs.</p> <p>The status of “planned” or “performed” will cause the milestones within the associated ACL to appear on the ACL Problematic Report and in turn be placed on “ACL billing hold” by the Division of Administrative Services.</p>
<b>Referral to AG for Collection</b>	<p>This task is to note when the collection of a monetary assessment has been referred to the Attorney General’s office for collection. This task is only appropriate for ACLs.</p> <p>The status of “planned” or “performed” will cause the milestones within the associated ACL to appear on the ACL Problematic Report and in turn be placed on “ACL billing hold” by the Division of Administrative Services.</p>

<b>Referral to Collection Agency</b>	<p>This task is to note when the collection of a monetary assessment has been referred to the Attorney General's office for collection. This task is only appropriate for ACLs and for NOV's issued for failure to pay annual fees.</p> <p>The status of "planned" or "performed" will cause the milestones within the associated ACL to appear on the ACL Problematic Report and in turn be placed on "ACL billing hold" by the Division of Administrative Services.</p>
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### **Additional Info**

- Except for application fee amount received, start dates for attributes shall be the approximate date a value changes. If unknown, use the date of data entry. For changing values, the end date of the old value must be the day before the start date of the new value. For application fee amt received, this date must be the date the complete fee was received. It is used for billing.
- End dates are not necessary unless the value of a certain attribute changes.
- If a regulatory measure is copied for an enforcement action, billing information should be deleted. For regulatory measures that are being reissued, be sure to review the billing information for any applicable updates.
- For non-enforcement orders, be sure to mark the pretreatment flag

<b>Attribute</b>	<b>Definition</b>
<b>301 H</b>	Permits that have received a waiver under section 301 H, which waives secondary treatment requirements. (Choices: N, Y)
<b>Application Fee Amt Received<sup>#</sup></b>	<p>This is the total amount received from the applicant. If the initial amount was \$500, \$500 shall be entered in the field. If an additional \$300 was needed for a complete application, when the \$300 was received, an end date shall be entered for the \$500 and a new row shall be started with \$800. If a regulatory measure is copied, this information should be deleted because in most cases, it is only applicable to the original base permit. Be sure to use the date that the application fee was actually received because billing uses this date for proration.</p> <p>Condition: This is required when an application fee has been received.</p>
<b>Baseline Flow</b>	Flow at the time of application
<b>Complexity<sup>#</sup></b>	<p>See the current fee schedule for more details on complexity. (Choices: A, B, C)</p> <p>Condition: Required for regulatory measures with fee code 58.</p>
<b>Design Flow<sup>#</sup></b>	<p>Design or permitted flow.</p> <p>Condition: Required for regulatory measures that regulate a flow-based discharge.</p>

<b>Dredge &amp; Fill<sup>#</sup></b>	<p>The dollar amount required for the regulatory measure, as calculated according to the regulations.</p> <p>Condition: Required for regulatory measures with fee code 54.</p>
<b>Fee Code<sup>#</sup></b>	<p>The assigned code that defines the method to determine the fee amount or defines the amount itself.</p> <p>Condition: For billable regulatory measures.</p>
<b>General Order Shortened Description</b>	<p>For general orders, enter a brief description of what type of discharges are covered by the order. The system will insert this string into the title of enrollees under the general order when the Regulatory Measure Wizard is used.</p> <p>This description is used instead of the order number in this case because one enrollee record may be related to a series of general orders, with different order numbers.</p>
<b>Major or Minor?<sup>#</sup></b>	<p>A designation for NPDES facilities. See 40 CFR for more details.</p> <p>Condition: Required for NPDES permits.</p>
<b>Waste Type</b>	Category of waste being regulated. (See options below)
<b>Population (MS4)/Acres<sup>#</sup></b>	<p>Population served by the permitted MS4 or the area of land disturbed for a project covered by a stormwater construction permit, except under the statewide construction stormwater permit.</p> <p>Condition: This field is required for MS4 permits and construction stormwater permits that are stored in CIWQS.</p>
<b>Pretreatment<sup>#</sup></b>	<p>Flag indicating Pretreatment status. (Choices: P – POTW is developing pretreatment program Y – POTW has EPA approved program X – Facility is not a POTW N – POTW does not have EPA approved pretreatment prog.)</p> <p>Condition: This field is required for orders that contain pretreatment requirements.</p>
<b>Reclamation<sup>#</sup></b>	<p>1 - Producer 2 - Producer - User 3 – User</p> <p>Condition: This field is required for regulatory measures that implement Water Code section 13523 or 13523.1</p>
<b>Threat to Water Quality<sup>#</sup></b>	<p>See the current fee schedule for more details on Threat to Water Quality. (Choices: 1, 2, 3)</p> <p>Condition: Required for regulatory measures with fee code 58.</p>

**Waste Types:**

<b>Classification</b>	<b>Definition</b>
Contaminated ground water	Ground water that is determined to have its quality impaired by waste to a degree which creates a hazard to public health.
Contaminated soil	Soil that is determined to have its quality impaired by waste to a degree which creates a hazard to public health.
Cooling water: Contact	Water used for cooling which comes into direct contact with a raw material, product, or byproduct.
Cooling water: Noncontact	Water used for cooling which does not come into direct contact with any raw material, product, or byproduct.
Domestic wastewater	Waste from activities of daily living (e.g., sewage).
Dredging spoils	Material which is the byproduct of excavating a waterbody.
Drilling brine waters	A water-based solution of inorganic salts used as a well-control fluid during well drilling operations.
Drilling muds	A mixture of clays, chemicals, and water which is pumped down the drill pipe to lubricate and cool the drilling bit, flush out the cuttings, and strengthen the sides of the hole.
Erosion wastes	The product of soil or rock removal through a natural process.
Brine water	Water that is saturated or strongly impregnated with salt. This includes reverse osmosis reject and ion exchange backwash.
Inert solid wastes	All solid, semi-solid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semi-solid wastes and other discarded waste (whether of solid or semi-solid consistency); provided that such wastes do not contain wastes which must be managed as hazardous wastes, or wastes which contain soluble pollutants in concentrations which exceed applicable water quality objectives, or could cause degradation of waters of the state (i.e., designated waste), and does not contain significant quantities of decomposable waste.
Irrigation runoff	Surface and subsurface water that leaves the field following application of irrigation water.
Miscellaneous	A generic designation to be used only if a more specific waste type classification does not apply.
Filter Backwash	Water resulting from the backwashing of a filter. If the backwash is brine water, use "Brine water"

Pesticide application	Residual portion of applied pesticides that remain in the water after application and the intended purpose (elimination of targeted pests) have been completed.
Potable water	Water that is safe for human consumption.
Process waste, Not Elsewhere Classified	Waste from industrial sites where items are manufactured as well as from other sites that produce non-domestic wastewater (e.g., food processor). This is a generic designation to be used only if a more specific waste type classification does not apply.
Recycled/reclaimed water	Water which, as a result of treatment of waste, is suitable for a direct beneficial use or a controlled use that would not otherwise occur.
Solid wastes, Not Elsewhere Classified	Solid or semisolid, insoluble material that has been discarded (e.g., agricultural refuse, demolition waste, industrial waste, mining residues, municipal garbage, and sewage sludge). This is a generic designation to be used only if a more specific waste type classification does not apply.
Stormwater runoff	Rainfall that washes over the surface of the land picking up pollutants as it travels.
Uncontaminated ground water	Ground water that is determined not to have its quality impaired by waste to a degree which creates a hazard to public health.
Washwater waste	Water resulting from the act of washing a dirty or dusty object (e.g., washing fruit after harvest to remove dust and debris).

### **Attachments**

The final regulatory measure must be attached to the record, preferably in Portable Deliverable Format (PDF).

A Document Type must be selected from the drop down menu.

<b>Document Type</b>	<b>Description</b>
Amendment	The document that modifies the action that the regulatory measure represents.
Application/Notice of Intent	An application for regulatory coverage. Do not include copies of checks.
Complaint	An Administrative Civil Liability (ACL) Complaint. ACL orders should use the "Final Order/Resolution" option.

Document Type	Description
Final Letter/NOV	The final version of a written communication issued by Water Board staff, including informal enforcement actions.
Final Order/Resolution	The signed version of a Board adopted or Executive Officer/Director issued action, that is not more specifically categorized by another document type.
Hearing Waiver	The signed version of an ACL attachment saying that the discharger agrees to waive their right to a hearing. This could be to pay the assessed amount, to enter into settlement negotiations, or to waive their right to a hearing within 90 days.
Notice of Applicability	Letter sent by Water Board staff stating that a specific discharge is covered by a general order or general waiver.
Other	Another document type not otherwise listed.  All attachments that were uploaded to CIWQS before 7/8/2013 were assigned this type.
Rescission	The document that terminates a previously issued order, if done through a separate action, not the reissuance of a new order.

If the file name does not indicate what the file is, or if there are multiple files with similar names, a file description should be entered.

The “Publish” checkbox enables the document link to appear in the header. For formal enforcement actions it also makes the document available in the Enforcement Orders Report. Only final documents should have this checkbox selected.

All information is saved upon clicking the “Upload File” button. If subsequent changes are made, use the “Save Attachment Changes” button.

Do not upload copies of checks.

Attachments will be made available in the Electronic Content Management (ECM) system.


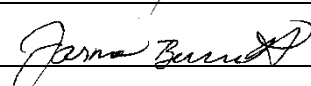
### **Billing**

This tab displays attributes associated with billing. The items linked to the regulatory measure are editable on this tab (for those users with regulatory measure edit rights). The tab provides a link to the applicable place tab and displays the place record billing attributes.



<b>Billing Info – Bill Name<sup>#</sup></b>	Organization to be billed for the regulatory measure.  Condition: For billable regulatory measures.
<b>Billing Info – Bill Contact<sup>#</sup></b>	The name of the person representing the organization that is billed for this particular regulatory measure.  Condition: For billable regulatory measures.
<b>Billing Info – Bill Street<sup>#</sup></b>	The street number, direction (if applicable), name, and type of the address to which the bill should be addressed.  Condition: For billable regulatory measures.
<b>Billing Info – Bill City<sup>#</sup></b>	The city to which the bill should be addressed.  Condition: For billable regulatory measures.
<b>Billing Info – Bill State<sup>#</sup></b>	The state abbreviation to which the bill should be addressed.  Condition: For billable regulatory measures.
<b>Billing Info – Bill Zip<sup>#</sup></b>	The zip code to which the bill should be addressed.  Condition: For billable regulatory measures.
<b>Billing Info – Bill Phone</b>	The phone number of the person or organization to which the bill should be addressed
<b>Billing Info – Bill Fax</b>	The fax number of the person or organization to which the bill should be addressed
<b>Billing Info – Bill Email</b>	The email of the person to which the bill should be addressed
<b>Billing Info – Bill Country</b>	The country to which the bill should be addressed. This field is only required if the country is other than the US

This tab includes a table to record events concerning billing changes and discussions. This tab also includes invoice information from AFBS and a link to a pre-populated Form X. Any changes made to the Form X are not made in CIWQS.

APPROVAL SECTION			
<u>Approver</u>	<u>Printed Name</u>	<u>Signature</u>	<u>Date</u>
Business Rules Team	Committee Members Present	Approved as Meeting Agenda Item	8/6/2013
CIWQS Quality Assurance Lead	Eric Maag		8/6/2013
Statewide CIWQS Coordinator	Jarma Bennett		8/6/2013

## **Summary of Changes**

Version	Summary of Major Changes	Date
1	Original version controlled document	7/7/09
2	<ul style="list-style-type: none"> <li>▪ Added “never active” status</li> <li>▪ Modified tasks</li> <li>▪ Clarified enforcement and non-enforcement 13267 Letters</li> <li>▪ Allowed additional flexibility in title format</li> </ul>	4/5/11
3	<ul style="list-style-type: none"> <li>▪ Changed references to amendments and rescissions, removed many stormwater only references, added conditions to conditionally required fields.</li> </ul>	9/6/11
4	<ul style="list-style-type: none"> <li>▪ Changed required and conditionally required designations to match user interface, added language regarding amendments and rescissions functionality, added definitions for waste types</li> </ul>	4/12/12
5	<ul style="list-style-type: none"> <li>▪ Addition of tasks that put ACLs on billing hold</li> </ul>	3/7/2013
6	<ul style="list-style-type: none"> <li>▪ Addition of reference to shortened general order description and enrollee title</li> <li>▪ Changed rule from linking all programs applicable to linking one program</li> </ul>	5/7/13
7	<ul style="list-style-type: none"> <li>▪ Added “active and historical” to the conditional requirement for NPDES number.</li> <li>▪ Replaced the exception that “draft” regulatory measures didn’t need an effective date, while everything else did, with the specification that “active and historical” regulatory measure must have effective dates</li> <li>▪ Added the qualifier “active and historical” to the requirement that orders must have an “adoption/issuance” date</li> <li>▪ Added the qualifier “active” to the requirement that NPDES permits and WDRs must have an Expiration/Review date.</li> </ul>	6/3/2013
8	<ul style="list-style-type: none"> <li>▪ Added reference to “Document Type” field in Attachments tab section</li> <li>▪ Clarified that a relationship of “staff” is only required for individual regulatory measures.</li> </ul>	8/5/2013